



STATE OF WISCONSIN

Assembly Journal

Ninety–Third Regular Session

11:07 A.M.

TUESDAY, March 10, 1998

The Assembly met in the Assembly Chamber located in the State Capitol.

Speaker Pro Tempore Freese in the chair.

The prayer was offered by Representative Wood.

Representative Owens led the membership in reciting the pledge of allegiance to the flag of the United States of America.

Tony Earl from the Milwaukee School of Arts sang the Star Spangled Banner.

The roll was taken.

The result follows:

Present – Representatives Ainsworth, Albers, Baldwin, Baumgart, Black, Bock, Boyle, Carpenter, Coggs, Cullen, Dobyns, Dueholm, Duff, Foti, Freese, Gard, Goetsch, Green, Gronemus, Grothman, Gunderson, Hahn, Handrick, Hanson, Harsdorf, Hasenohrl, Hebl, Hoven, Huber, Hubler, Huebsch, Hutchison, Jeskewitz, Johnsrud, Kaufert, Kedzie, Kelso, Klusman, Kreibich, Kreuser, Krug, Kunicki, La Fave, Ladwig, F. Lasee, Lazich, J. Lehman, M. Lehman, Linton, Lorge, Meyer, Morris–Tatum, Murat, Nass, Notestein, Olsen, Ott, Otte, Ourada, Owens, Plale, Plouff, Porter, R. Potter, Powers, Reynolds, Riley, Robson, Ryba, Schafer, Schneider, Seratti, Skindrud, Spillner, Springer, Staskunas, Sykora, Travis, Turner, Underheim, Urban, Vander Loop, Vrakas, Walker, Ward, Wasserman, Wieckert, Williams, Wood, L. Young, R. Young, Ziegelbauer, Zukowski and Speaker Jensen – 94.

Absent with leave – Representatives Brandemuehl, Krusick, Musser and Steinbrink – 4.

Vacancies – 82nd Assembly District – 1.

LEAVES OF ABSENCE

Representative R. Potter asked unanimous consent for a leave of absence for today's session for Representatives Krusick and Steinbrink. Granted.

Representative Green asked unanimous consent for a leave of absence for today's session for Representatives Brandemuehl and Musser. Granted.

Representative Green asked unanimous consent for a leave of absence for part of today's session for Representative Klusman. Granted.

AMENDMENTS OFFERED

Assembly substitute amendment 1 to **Assembly Joint Resolution 108** offered by Representative Bock.

Assembly substitute amendment 1 to **Assembly Bill 443** offered by Representative Hubler.

Assembly amendment 4 to **Assembly Bill 514** offered by committee on **Natural Resources**.

Assembly amendment 5 to **Assembly Bill 514** offered by committee on **Natural Resources**.

Assembly amendment 6 to **Assembly Bill 514** offered by committee on **Natural Resources**.

Assembly substitute amendment 1 to **Assembly Bill 567** offered by committee on **State Affairs**.

Assembly substitute amendment 1 to **Assembly Bill 591** offered by Representative Staskunas.

Assembly substitute amendment 1 to **Assembly Bill 665** offered by committee on **Children and Families**.

Assembly amendment 1 to Assembly substitute amendment 1 to **Assembly Bill 665** offered by committee on **Children and Families**.

Assembly amendment 2 to **Assembly Bill 783** offered by Representative Olsen.

Assembly substitute amendment 1 to **Senate Bill 291** offered by Representative Staskunas.

Assembly substitute amendment 1 to **Senate Bill 332** offered by committee on **Small Business and Economic Development**.

Assembly amendment 1 to Assembly substitute amendment 1 to **Senate Bill 332** offered by committee on **Small Business and Economic Development**.

INTRODUCTION AND REFERENCE OF PROPOSALS

Read first time and referred:

Assembly Resolution 17

Relating to: notifying the Wisconsin congressional delegation of the assembly's support for passage of House Congressional Resolution 81, which calls for a United States

initiative seeking a just and peaceful resolution of the situation in Cyprus.

By Representatives Vrakas and Hoven, by request of Order of AHEPA Chapter 369, Madison, Wisconsin.

To committee on **Rules**.

Assembly Joint Resolution 119

Relating to: proclaiming Cesky Den.

By Representatives Johnsrud, Porter, R. Young, Ladwig, Ryba, Dobyns, Turner, Gronemus, Ward, Owens, Bock and Walker; cosponsored by Senators Chvala, Rude, Drzewiecki, Zien, Burke, Moen, Schultz and Grobschmidt.

To committee on **Rules**.

Assembly Joint Resolution 120

Relating to: honoring the Society of Jesus for its substantial contributions to the quality of spiritual, intellectual and cultural life in Wisconsin.

By Representatives Plale, Walker and Cullen; cosponsored by Senators Burke and Farrow.

To committee on **Rules**.

Assembly Joint Resolution 121

Relating to: commending Ms. Karyn Bye and the United States Women's Olympic Hockey Team.

By Representatives Harsdorf, Hanson, Ainsworth, Albers, Baldwin, Baumgart, Black, Bock, Boyle, Brandemuehl, Carpenter, Coggs, Cullen, Dobyns, Dueholm, Duff, Foti, Freese, Gard, Goetsch, Green, Gronemus, Grothman, Gunderson, Hahn, Handrick, Hasenohrl, Hebl, Hoven, Huber, Hubler, Huebsch, Hutchison, Jensen, Jeskewitz, Johnsrud, Kaufert, Kedzie, Kelso, Klusman, Kreibich, Kreuser, Krusick, Kunicki, Ladwig, La Fave, F. Lasee, Lazich, J. Lehman, M. Lehman, Linton, Lorge, Meyer, Morris-Tatum, Murat, Musser, Nass, Notestein, Olsen, Ott, Otte, Ourada, Owens, Plale, Plouff, Porter, R. Potter, Powers, Reynolds, Riley, Robson, Ryba, Schafer, Schneider, Seratti, Skindrud, Spillner, Springer, Staskunas, Steinbrink, Sykora, Travis, Turner, Underheim, Urban, Vander Loop, Vrakas, Walker, Ward, Wasserman, Wieckert, Williams, Wood, L. Young, R. Young, Ziegelbauer and Zukowski; cosponsored by Senators Clausing, Breske, Burke, Cowles, Darling, Drzewiecki, Ellis, Farrow, Fitzgerald, George, Grobschmidt, Huelsman, Jauch, A. Lasee, Moen, Moore, Panzer, Plache, C. Potter, Risser, Roessler, Rosenzweig, Rude, Schultz, Shibilski, Weeden, Welch, Wineke, Wirch and Zien.

To committee on **Rules**.

Assembly Bill 891

Relating to: traffic regulations at railroad crossings, creating a railroad crossing improvement assessment, making an appropriation and providing penalties.

By Representatives Hahn, Sykora, Urban, Hanson and Olsen; cosponsored by Senator Roessler.

To joint committee on **Finance**.

Assembly Bill 892

Relating to: requiring official stop signs at railroad crossings and making an appropriation.

By Representatives Hahn, Sykora, Urban, Hanson and Olsen.

To joint committee on **Finance**.

Assembly Bill 893

Relating to: requiring the department of transportation to provide information to applicants for renewal of drivers' licenses on traffic regulations Relating to railroad crossings.

By Representatives Hahn, Sykora, Urban, Hanson, Ainsworth, Olsen and Goetsch; cosponsored by Senators Rude and Roessler.

To committee on **Highways and Transportation**.

Assembly Bill 894

Relating to: bank charges for transactions at automatic teller machines.

By Representatives Notestein, J. Lehman, Black, Ryba, Boyle, Schneider, Bock, L. Young, Baldwin, Morris-Tatum, Cullen, Coggs and Kreuser; cosponsored by Senators Risser and Burke.

To committee on **Financial Institutions**.

Assembly Bill 895

Relating to: the operation of private businesses in state prisons.

By Representatives Riley, Meyer, Turner, Boyle, Bock, Krug, Springer, Notestein, La Fave, J. Lehman, Black, Staskunas, Hasenohrl, Plouff and Murat; cosponsored by Senators Moen, Burke, Jauch, Decker, Clausing, Wineke, Plache and Wirch.

To committee on **Corrections Facilities**.

Assembly Bill 896

Relating to: creating a property tax exemption for the property of little leagues.

By Representative Travis.

To joint survey committee on **Tax Exemptions**.

Assembly Bill 897

Relating to: requiring instruction in parental involvement for an initial teaching license.

By Representatives Huebsch, Hahn and Musser; cosponsored by Senator Darling.

To committee on **Education**.

Assembly Bill 898

Relating to: the creation of a new type of financial institution; the powers and requirements applicable to these financial institutions; changing the name of the division of savings and loan; providing an exemption from emergency rule procedures; and granting rule-making authority.

By Representative Ward.

To committee on **Financial Institutions**.

COMMITTEE REPORTS

The committee on **Children and Families** reports and recommends:

Assembly Bill 580

Relating to: disclosure of child abuse and neglect reports for the purpose of investigating an alleged violation of a correctional community placement.

Assembly amendment 1 adoption:

Ayes: 9 – Representatives Huebsch, Dobyms, Goetsch, Ainsworth, Ladwig, R. Young, Notestein, Krug and Hebl.
Noes: 0.

Passage as amended:

Ayes: 9 – Representatives Huebsch, Dobyms, Goetsch, Ainsworth, Ladwig, R. Young, Notestein, Krug and Hebl.
Noes: 0.

To committee on **Rules**.

Assembly Bill 665

Relating to: creating a child abuse and neglect prevention program, medical assistance for certain case management services, authorizing the child abuse and neglect prevention board to form a nonstock, nonprofit corporation, early childhood family education center grants awarded by the child abuse and neglect prevention board, training programs and training requirements for staff of county departments or licensed child welfare agencies under contract with county departments whose responsibilities include investigation or treatment of child abuse and neglect, granting rule-making authority and making appropriations.

Assembly amendment 1 to Assembly substitute amendment 1 adoption:

Ayes: 9 – Representatives Huebsch, Dobyms, Goetsch, Ainsworth, Ladwig, R. Young, Notestein, Krug and Hebl.
Noes: 0.

Assembly substitute amendment 1 adoption:

Ayes: 9 – Representatives Huebsch, Dobyms, Goetsch, Ainsworth, Ladwig, R. Young, Notestein, Krug and Hebl.
Noes: 0.

Passage as amended:

Ayes: 9 – Representatives Huebsch, Dobyms, Goetsch, Ainsworth, Ladwig, R. Young, Notestein, Krug and Hebl.
Noes: 0.

To joint committee on **Finance**.

MICHAEL HUEBSCH
Chairperson
Committee on Children and Families

The committee on **Environment** reports and recommends:

Assembly Bill 492

Relating to: authorizing the department of natural resources to allow wetland compensatory mitigation projects and granting rule-making authority.

Assembly amendment 1 to Assembly substitute amendment 1 adoption:

Ayes: 9 – Representatives Duff, Johnsrud, Hahn, Seratti, Kedzie, Bock, Robson, Black and La Fave.
Noes: 0.

Assembly amendment 2 to Assembly substitute amendment 1 adoption:

Ayes: 9 – Representatives Duff, Johnsrud, Hahn, Seratti, Kedzie, Bock, Robson, Black and La Fave.
Noes: 0.

Assembly substitute amendment 1 adoption:

Ayes: 5 – Representatives Duff, Johnsrud, Hahn, Seratti and Kedzie.
Noes: 4 – Representatives Bock, Robson, Black and La Fave.

Passage as amended:

Ayes: 5 – Representatives Duff, Johnsrud, Hahn, Seratti and Kedzie.

Noes: 4 – Representatives Bock, Robson, Black and La Fave.

To committee on **Rules**.

MARC DUFF
Chairperson
Committee on Environment

The committee on **Health** reports and recommends:

Assembly Bill 628

Relating to: the administration of drug products and devices by pharmacists, continuing education for pharmacists and granting rule-making authority.

Assembly substitute amendment 1 adoption:

Ayes: 14 – Representatives Underheim, Johnsrud, Walker, Lazich, Handrick, Olsen, Wieckert, Robson, Carpenter, Bock, Springer, Meyer, La Fave and Wasserman.
Noes: 1 – Representative Urban.

Passage as amended:

Ayes: 14 – Representatives Underheim, Johnsrud, Walker, Lazich, Handrick, Olsen, Wieckert, Robson, Carpenter, Bock, Springer, Meyer, La Fave and Wasserman.
Noes: 1 – Representative Urban.

To committee on **Rules**.

GREGG UNDERHEIM
Chairperson
Committee on Health

The committee on **Labor and Employment** reports and recommends:

Assembly Bill 790

Relating to: various measures affecting the state civil service.

Passage:

Ayes: 8 – Representatives Vrakas, Nass, Duff, Lazich, Walker, Vander Loop, Turner and Morris-Tatum.
Noes: 1 – Representative Grothman.

To committee on **Rules**.

Assembly Bill 833

Relating to: solvency contribution rates applicable to certain employers for unemployment insurance purposes in 1998, unemployment insurance information technology systems and making an appropriation.

Passage:

Ayes: 9 – Representatives Vrakas, Nass, Duff, Lazich, Walker, Grothman, Vander Loop, Turner and Morris–Tatum.
Noes: 0.

To committee on **Rules**.

Senate Bill 226

Relating to: the payment of wages and commissions owed to employes and commission salespersons whose employment ends, the termination or alteration of sales representative agreements and providing penalties.

Concurrence:

Ayes: 9 – Representatives Vrakas, Nass, Duff, Lazich, Walker, Grothman, Vander Loop, Turner and Morris–Tatum.
Noes: 0.

To committee on **Rules**.

DANIEL VRAKAS
Chairperson
Committee on Labor and Employment

The committee on **Natural Resources** reports and recommends:

Assembly Joint Resolution 108

Relating to: commending the National Rifle Association for its development of the Eddie Eagle Gun Safety Program and encouraging schools in Wisconsin to use the Eddie Eagle Gun Safety Program.

Assembly substitute amendment 1 adoption:

Ayes: 6 – Representatives Powers, Hutchison, Black, Bock, Boyle and Baumgart.
Noes: 1 – Representative Ott.

Adoption as amended:

Ayes: 7 – Representatives Powers, Ott, Hutchison, Black, Bock, Boyle and Baumgart.
Noes: 0.

To committee on **Rules**.

Assembly Bill 862

Relating to: the applicability of shoreland zoning ordinances.

Passage:

Ayes: 5 – Representatives Johnsrud, Brandemuehl, Ott, Gunderson and Hutchison.
Noes: 3 – Representatives Black, Bock and Baumgart.

To committee on **Rules**.

Assembly Bill 864

Relating to: recodification of fish and game laws.

Passage:

Ayes: 8 – Representatives Johnsrud, Brandemuehl, Ott, Gunderson, Hutchison, Black, Bock and Baumgart.
Noes: 0.

To committee on **Rules**.

DUWAYNE JOHNSRUD
Chairperson
Committee on Natural Resources

The committee on **State Affairs** reports and recommends:

Assembly Bill 567

Relating to: the furnishing of dispensing equipment by brewers and wholesalers at certain tasting events held on Class “B” premises.

Assembly substitute amendment 1 adoption:

Ayes: 6 – Representatives Skindrud, Ward, M. Lehman, Owens, L. Young and Wood.
Noes: 0.

Passage as amended:

Ayes: 5 – Representatives Skindrud, Ward, M. Lehman, Owens and L. Young.
Noes: 1 – Representative Wood.

To committee on **Rules**.

RICK SKINDRUD
Chairperson
Committee on State Affairs

The joint survey committee on **Tax Exemptions** reports and recommends:

Assembly Bill 89

Relating to: exempting the sales of flex–time time–share property from the sales tax.

Adoption of Report:

Ayes: 6 – Representatives Urban, Foti and Schneider; Senators Wineke and Farrow; and Mr. Lee.
Noes: 1 – Ms. Secretary Zeuske.

To committee on **Tourism and Recreation**.

FRANK URBAN
Assembly Chairperson
Joint survey committee on Tax Exemptions

REFERRAL OF AGENCY REPORTS

State of Wisconsin
Department of Health and Family Services
Office of Health Care Information
Madison

January 1998

To the Honorable, the Legislature:

Pursuant to section 153.10(1), Wis. Stats., we are pleased to submit to the Governor and to the Legislature the quarterly Health Care Data Report. This report is based on hospital inpatient discharge data reported to the Office of health Care Information by all operating general medical–surgical and specialty hospitals in Wisconsin for the second quarter of 1996. It also contains selected ambulatory surgery utilization and charge data from general medical–surgical hospitals and freestanding ambulatory surgery centers in Wisconsin during the same quarter.

This report fulfills the statutory requirement to report “*in a manner that permits comparisons among hospitals ... the charges for up to 100 health care services or diagnostic–related groups selected by the office.*”

Sincerely,
BARBARA A. RUDOLPH, Ph.D.,
Deputy Director, OHCI

Referred to committee on **Health**.

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Department of Health and Family Services
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Sincerely,
BARBARA A. RUDOLPH, Ph.D.,
Deputy Director, OHCI

Referred to committee on **Health**.

AGENCY REPORTS

State of Wisconsin
Claims Board
Madison

March 4, 1998

To the Honorable, the Assembly:

Enclosed is the report of the State Claims Board covering the claims heard on February 19, 1998.

The amounts recommended for payment under \$5,000 on claims included in this report have, under the provisions of s. 16.007, Stats., been paid directly by the Board.

The Board is preparing the bill(s) on the recommended award(s) over \$5,000, if any, and will submit such to the Joint Finance Committee for legislative introduction.

This report is for the information of the Legislature. The Board would appreciate your acceptance and spreading of it upon the Journal to inform the members of the Legislature.

Sincerely,
EDWARD D. MAIN
Secretary, Claims Board

MOTIONS

Representative Meyer asked unanimous consent to be withdrawn as a coauthor of **Assembly Bill 745**. Granted.

Representative Plale asked unanimous consent to be withdrawn as a coauthor of **Assembly Bill 745**. Granted.

Representative La Fave asked unanimous consent to be withdrawn as a coauthor of **Assembly Bill 745**. Granted.

Representative Handrick asked unanimous consent to be made a coauthor of **Assembly Joint Resolution 79**. Granted.

Representative Green asked unanimous consent to be made a coauthor of **Assembly Joint Resolution 108** and **Assembly Bill 308**. Granted.

Representative Wasserman asked unanimous consent to be withdrawn as a coauthor of **Assembly Bill 857**. Granted.

Representative Hubler asked unanimous consent that the rules be suspended and that **Assembly Resolution 18** be introduced and taken up at this time. Granted.

Assembly Resolution 18

Relating to: proclaiming Chosin Few Day.
By Representatives Hubler, Musser and Schneider.

The question was: Shall **Assembly Resolution 18** be adopted?

Motion carried.

CALENDAR OF TUESDAY, MARCH 10

Assembly Bill 50

Relating to: the operation of all–terrain vehicles by minors.

Representative Foti asked unanimous consent that **Assembly Bill 50** be laid on the table. Granted.

Representative Green asked unanimous consent that the Assembly stand recessed. Granted.

The Assembly stood recessed.

11:20 A.M.

RECESS

2:40 P.M.

The Assembly reconvened.

Speaker Pro Tempore Freese in the chair.

Representative Foti asked unanimous consent that the speeches of retired Chief Justice Nathan S. Heffernan and Representative Spencer Coggs, which were made on January 14, 1998 when the Assembly met in the Council House at the First Capitol Historic Site in Belmont to celebrate Wisconsin's Sesquicentennial, be reprinted in today's Assembly Journal. Granted.

WISCONSIN STATE ASSEMBLY SESSION
IN THE COUNCIL HOUSE
AT THE FIRST CAPITOL
HISTORIC SITE IN BELMONT

1:30 P.M.
Wednesday
January 14, 1998

Nathan S. Heffernan
Chief Justice (Retired)
Wisconsin Supreme Court

"Governor Thompson, Mr. Speaker Jensen, Speaker Pro Tempore Freese, distinguished members of the Wisconsin Assembly and friends, it is a great honor to appear before this distinguished group on this historic occasion. We meet here today not only to commemorate the historic event of the first legislative session of the Wisconsin territory in 1836 to 1837, but we are also here for an event that is in itself historic: the first meeting of the state assembly outside of Madison, and as the initial event in the celebration of Wisconsin's 150th year of statehood.

But today, here in old Belmont, I will talk about the Wisconsin ---territory's first legislature. To get a better perspective of what this area near Belmont was like in the early and mid-1830's. I will commence my remarks with excerpts from the recollections of a typical pioneer of territorial days. His name was Samuel Druen. Samuel Druen was in his early 20's when he came up the Mississippi from Missouri in response to the lead strike. I wish I had time to read more of his pioneer recollections but I think brief excerpts will give you some of the flavor of the times. I quote Sam Druen:

"I came to Grant county on the 20th of April, 1832, passing my first night on (the top) of Sinsinawa Mound. (Not far from where we are today.)"

Druen tells that he was awakened that first night by sounds of an Indian war party that had encamped just below him on the mound. He spent a troubled night, but when he awoke the war party was gone. He goes on to write:

"The next day I learned that a party of U.S. surveyors had made rich discoveries of lead at Potosi and I started thither at once having neither track nor path to follow or to guide me.

Proceeding on my way, I came to a place where a dozen or so men were engaged in building a cabin --- the first White man's structure erected on the site of Potosi.

A number of us pitched our tent and went to work. Potosi grew and its population, mostly miners, rapidly increased.

All went prosperously until one night at about 11 o'clock, when a man rode wildly into camp bearing the news of Stillman's defeat (by Blackhawk) at Rock River. We were all badly scared, turned tail and fled, some toward Galena, some toward Jamestown, and some toward Platteville. Only two men had the courage to stand their ground and risk their scalps. The next day we recovered from our fright, assembled in considerable force and held sort of a council of war.

Some were for building a fort right there in the diggings; others thought it a rather good thing to go to Galena (as fast as we could). Hearing that a military company was organizing at Cassville, three others and myself set out for that town at once.

At Cassville we found the "colonel" building a fort and organizing a company of soldiers. Upon telling him what we came for, he desired to know whether we would or could do any fighting. I said, "Take off your coat and lets have a round." He looked at me and said he guessed held take us. So we were mustered in at once and forthwith put on duty. Our company was known as the Rangers, for we were employed in ranging the country between the Grant and the Wisconsin River, a tract which we traversed a great many times and wherein we killed 8 or 10 Indians and made 12 or 15 prisoners.

When the strife was over and the smoke of peace arose from all that region, we returned to Potosi and resumed our picks and gads and shovels as though we have not been off making history at all but had only gone a-fishing or had been fooling about for our health as it were."

I found another interesting reference to Sam Druen and his life after the Blackhawk War, and I quote from the history of Potosi, which appears in Butterfield's History of Wisconsin, published in 1880. "Of that party (which first went to the 'Eldorado' at Potosi) was Sam Druen, as good a fellow as one ever knew, subsequently very rich, and living at Bee Town."

Forgive me for spending so much time on the pioneer recollections of Sam Druen but I think his experiences are typical of the truly “wild frontier” that was the Michigan and Wisconsin territory near Belmont.

Also, Sam Druen, I am proud to say, was my great grandfather. His richness, unfortunately, did not extend beyond his own generation. Also, to harken back to Sam’s Indian fighting days, I’m sure he would be surprised — and I hope pleased — were he to know that his great, great, great granddaughter is part Ojibway Indian.

But I should get to the subject I am supposed to address: the first territorial legislative session here in Belmont.

The story of Wisconsin territorial government must begin with the cession in 1783 of Virginia lands to the government of the United States, then operating under the Articles of Confederation. The land was that portion “northwest of the river Ohio” but on the condition that the area be formed into states not smaller than 100 miles square or larger than 150 miles square — a provision that was subsequently changed to conform with the ordinance of 1787 — the “Northwest Ordinance” — and with the further proviso that the states should have a “republican” form of government — with a small “r,” of course, and be admitted to the federal union with the same rights of “sovereignty, freedom and independence as other states.”

The Northwest Ordinance set forth the skeletal outlines of the government of the territory. In essence, the territory was to be treated as a colony — with all laws passed subject to approval of the Congress. The officers (to be appointed by the Congress) had to be substantial landowners. There were to be three judges, who together with the governor, were to have the powers to enact laws (how does that sound to you?) but only until such time as a legislative assembly could be chosen. An assembly once chosen had the power to select the other legislative house, the council.

I will not dwell on the intricacies of the Northwest Ordinance except to emphasize that it outlined the congressional intent, by stages, to allow the formation of not less than three and not more than five states with the same attributes as the original states. It guaranteed religious freedom, outlined a bill of rights, including “habeas corpus” and the “right to bail,” and outlawed “cruel and inhuman punishment.” Education, religion and morality were to be “forever encouraged” and, extremely important to a water-rich area as Wisconsin, the “navigable waters” of the states were to be “common highways and forever free.” This is the origin of Wisconsin’s “Trust Doctrine.” Also, slavery was forever outlawed in the territory.

In 1789 the ordinance was amended to give the President of the United States the power to appoint officers of the territory. Subsequently, the territory was divided and the area that is Wisconsin was successively included in the Indiana territory, the Illinois territory, the Michigan territory and, finally, the Wisconsin territory, effective July 4, 1836 (and that territory was later reduced in size when the Iowa territory was formed).

About this time, Michigan was involved in a territorial dispute with Ohio, that was finally resolved by giving Michigan the Upper Peninsula, which theretofore was considered to be a part of Wisconsin, in exchange for Michigan’s relinquishing claims in the Toledo area. We also lost Chicago about this time — perhaps we were lucky in that respect.

While the governmental structure set up by the Northwest Ordinance was colonial in nature and paternalistic in the sense of complete control by the Congress or the President, it was apparently far from oppressive. Neither the Congress nor the President showed much interest in the internal administration of the territories. As Professor Nesbit has stated, “They, like the colonies of the British Empire, flourished under a policy of ‘salutary neglect.’” The Organic Act that ultimately set up the Wisconsin territory in 1836 incorporated the democratic features of the Jacksonian era — that, of course, is democratic with a small “d.”

Included in its provisos was that:

1. Both houses of the legislature were to be elected directly by the people.
2. Property qualifications were abolished for office holding.
3. Most county officers were to be elected. A few, however, were to be appointed by the governor. However, the governor, the territory secretary, the attorney general, and the marshal and judges were all presidential appointees.

Interestingly enough, the residents of the territory could not vote for president but the president, Andrew Jackson, knew who his friends in the territory were and Henry Dodge was his friend and crony. So no one was surprised at the appointment of Dodge as governor in 1836.

Under the Act, Governor Dodge had the duty to apportion the territory for the election of a House of Representatives consisting of 26 members and a Council of 13. The persons who were to be elected to the legislature were required, until a permanent capital was selected, to meet at a place selected by the governor. Henry Dodge selected Belmont as the territory capital.

It should be remembered that the Wisconsin territory, as created in 1836, was a huge area covering not only the present Wisconsin but also Iowa and the Dakotas to the Missouri River and north to the Lake of the Woods. Hence, the designation of Belmont was not frivolous — it was relatively centrally located and right in the heart of the territory’s most populous and prosperous area — the Lead Region.

Governor Dodge, under the Organic Act, had the absolute veto power over the legislature’s selection of a permanent site, but before the session he announced that he would not exercise his veto — what a governor!

Dodge’s selection of Belmont, at the very least, was controversial. Even before the Organic Act was passed, John Atchison, a Galena speculator, had purchased acreage at Belmont and started construction of a council house or capitol for the executive and legislature, a supreme court building that was to be identical in style to the council building, a

governor's residence and a boarding house. Obviously, he hoped that by these preemptive acts Belmont would be the permanent site. At any rate, Atchison glowingly advertised his lots in newspapers in New York, Washington, D.C., Dubuque, St. Louis and Mineral Point. He touted the "luxurious" quarters that would house the legislature.

Governor Dodge's choice of Belmont was almost universally unpopular — food and housing proved to be terrible. The weather was awful — fuel was in short supply. The council and legislature did not find the "princely mansions and spacious, comfortable boarding houses" that Atchison had advertised. Many of the legislators slept on the floor in the unheated and unfinished court building. But the legislature did meet and passed 42 laws and three joint resolutions effectively setting up a framework of government for the territory.

The Supreme Court Building was not completed, so the court never sat there. Chief Justice Dunn, who subsequently made Belmont his home (in the Supreme Court Building) and Justice Ervin were in attendance. No cases were decided but 16 attorneys were admitted to the bar and subordinate court officers were appointed. The admission of the 16 lawyers assured the court that there would be business for them in the future.

But the first legislative session is most remembered for the capital siting decision. While the assembly and council were pondering that decision, James Doty was scheming.

Doty was a clever lawyer and a very good one. He had been the United States Judge for the territory for nine years and performed admirably. He was the judge who presided over the trial of Chief Oshkosh and, using Indian law, acquitted the chief of murder. During his tenure he fought to establish civil law to supplant the military. The military did not easily give up its absolute hold on public affairs. As United States Judge, he traveled extensively throughout Wisconsin — on foot and by canoe. He probably had a better grasp of the potential of the Wisconsin territory than anyone else. He held no official position in October of 1836, but on his way to Belmont he platted the village of Madison at the site of the four lakes and he acquired the whole of the swampy isthmus between Lakes Mendota and Monona.

Before the Belmont legislature recessed, 16 legislators were owners of lots in the proposed city of Madison, and many more, in the depths of a very cold winter, were the recipients of buffalo robes, which Doty provided. Among the grantees of land in Madison were Supreme Court Chief Justice Dunn and Augustus Caesar Dodge, the son of the governor. Governor Dodge, however, opposed the selection of Madison and indignantly refused to accept a gift of Four Lakes land from Doty. He importuned George Jones, the Congressional delegate in Washington, to intercede to stop the move to Madison. His importunings were ignored and Madison was selected to be the capital. It was later discovered that Jones, too, had become a landowner on the Four Lakes isthmus. Burlington, now in Iowa, was selected as an interim capital while construction commenced at Madison.

This is not the time and place to go into the future lives of Doty and Dodge. Doty is not without honor in history but he is

considered to be a wily manipulator whose principal loyalty was to himself. He became governor of the Wisconsin territory in 1841, but his diplomatic powers and negotiating skills seemed to fail him in that position. He was not a success. Dodge was once again appointed governor in 1845 and served with honor until statehood in 1848.

One thing that Dodge and Doty had in common was their fervent advocacy in making Wisconsin a state. But Doty fell upon difficult days. He was, for a time, impoverished but he was the original "comeback kid." He finished his days as the successful governor of the territory of Utah.

The territorial days, even during the brief stay of the government at Belmont, were an important transitional phase in creating a state out of a colonial wilderness. In that first session, the structure of state government was experimented with and appraised. Encouragement of business was fostered **by** the territorial government — banking and transportation interests were nurtured. Business and municipal incorporation laws were passed. It was decided that there be a territorial university, and \$5000, a huge sum, was appropriated for a Supreme Court library. The harangues and altercations, yes, even the pettiness and avarice so decried by Governor Dodge (as well as the serious debates setting the course of public policy) trained politicians, statesmen and the public in the art of government and prepared Wisconsin for statehood.

I sometimes wonder what Sam Druen thought about the brief stay of government at Belmont. He was close at hand either at nearby Beetown or New Diggings.

Unfortunately, he wrote only about his experiences on first arriving in what was then Michigan territory. Perhaps he shared the view of a nearby newspaper, the Dubuque Visitor:

"That the legislature of the great territory of Wisconsin should be comfortable during the discharge of their dut[ies] I think necessary for the enactment of good and substantial law. Empty stomachs may make for clear heads, but not good laws. God deliver us from hungry legislators."

Yet good laws were passed! Wisconsin got off to a good start in 1836 and 1837, here at old Belmont!

Thank you."

Representative Spencer Coggs
17th Assembly District

**THE CELEBRATION OF
BLACK HISTORY IN WISCONSIN**

"Mr. Speaker and Members,

It's with treat pleasure that I introduce this resolution, AJR 95. Today it is only fitting that we present a resolution on the legacy of Black Wisconsinites on the eve of Dr. Martin Luther King's Birthday, January 15th.

The Journey of Blacks in Wisconsin on the road to freedom has sometimes been marred by discrimination and lack of positive communication. with that in mind, it is only

appropriate for me to thank Speaker Pro Tempore Freese for the open dialogue which allowed for me to speak to and present this particular resolution.

Yet, I don't stand here alone but I and the other Black representatives here stand on the shoulders of those who came before us, and also on the hopes, hearts and minds of our many constituents; in particular I want to thank Dr. Howard Fuller and Gov. Dreyfus, and especially the citizens throughout the state who urged me to represent by my very presence that, even though Blacks were denied our rights in 1848, that I and others will not and cannot be denied and should come and present our proud accomplishments in 1998.

And although it is true that Blacks did not achieve the constitutional right to vote until 12 years after our statehood in 1848, Wisconsin also has the distinction of not only defying the Federal Fugitive Slave Law, but the state took our case to the US Supreme Court.....and **WON!**

The resolution reads as follows:

Whereas, 1998 is Wisconsin's sesquicentennial year, which gives us an excellent opportunity to celebrate our many accomplishments, analyze our past shortcomings and examine our future, as we celebrate Wisconsinites of African descent; and

Whereas, we acknowledge the proud legacy of Black men and women who have helped shape who we are as a state, as a nation and as a people; and

Whereas, the many Black pioneers who were a "First" include Joe Oliver, the first Black person ever recorded as voting in Wisconsin in 1835, and Carolyn Quarrelles, the first "Passenger" to travel the underground railroad in Wisconsin; and

Whereas, Black persons pioneered a number of settlements in Wisconsin, including Pleasant Ridge, founded in 1849 by Charles Edward Shepard; Stantonville, named after African-American Moses Stanton (now called Chilton); and Barton Corners, named after African-American Wesley Barton (now called Burr Corners); and

Whereas, entertainment and culture have been well represented by many Black Wisconsinites, including Professor Ephraim Williams, the state's only African-American circus impresario, from 100 years ago to the more modern days of, for example, the "1st Class Citizenship" of Mrs. Bernice Lindsay, who organized the Mary Church Terrell Club in 1933 to better Black-White relations, who worked extensively all of her life to develop the talents of Black youth and who was an active member of the Milwaukee Commission on Human Rights from its inception in 1944; and

Whereas, Wisconsin's Black political pioneers have established a rich legacy of activism and involvement, from Lucien H. Palmer, the first Black person to be elected to the Wisconsin legislature, to Vel R. Phillips, the first Black and first woman ever elected to the statewide office of Secretary of State in Wisconsin, to Isaac Newton Coggs, an activist known as "Mr. Civil Rights", who ushered in the current era of Black state elected officials; now, therefore, be it:

Resolved by the Assembly, the Senate concurring, That the members of the Wisconsin legislature, on the occasion of the state's sesquicentennial, recognize the many fine accomplishments of Wisconsin's Black citizens and use this august occasion to reflect on where we were and how we have changed and to determine how we can improve to make a better society in the future.

In conclusion, Mr. Speaker and members, African tradition usually connotes that in order to pledge for a positive future, we must first evoke the spirit of our ancestors.

I Evoke the Spirit of my Ancestor, Ezekial Gillespie – whose court case established Blacks right to vote in 1866.

I Evoke the Spirit of my Ancestor, Carolyn Quarrelles – who was the first Underground Railroad passenger in Wisconsin, being hidden in Wauwatosa on her journey to Canada.

I Evoke the Spirit of my Ancestor, Lucien H. Palmer – who was the first Black person elected to the State Legislature.

And **I Evoke the Spirit of my Ancestor, my uncle, Representative Isaac Coggs** – who established the modern precedent of Black political activism/and inspired me to go into politics, and who emphasized that:

NEVER, NEVER AGAIN ALLOW IT TO BE CALLED HIS STORY, WHEN IT REPRESENTS THE JOURNEY OF EACH AND EVERY SINGLE CITIZEN OF THE STATE OF WISCONSIN, AND THAT MAKES IT OUR STORY!!!'

Representative Foti asked unanimous consent that the rules be suspended and that **Assembly Joint Resolution 118** be withdrawn from the committee on **Rules** and taken up at this time. Granted.

Assembly Joint Resolution 118

Relating to: proclaiming Arts Day.

The question was: Shall **Assembly Joint Resolution 118** be adopted?

Motion carried.

Representative Foti asked unanimous consent that the rules be suspended and that **Assembly Joint Resolution 118** be immediately messaged to the Senate. Granted.

Representative Foti asked unanimous consent that the rules be suspended and that **Assembly Resolution 19** introduced and taken up at this time. Granted.

Assembly Resolution 19

Relating to: declaring March 10, 1998, Tibet Day.

By Representative Skindrud.

The question was: Shall **Assembly Resolution 19** be adopted?

Motion carried.

CALENDAR OF TUESDAY, MARCH 10

Assembly Bill 285

Relating to: the method of determining reductions in general transportation aids for late filing of applications for such aid.

The question was: Shall Assembly amendment 1 to **Assembly Bill 285** be adopted?

Motion carried.

The question was: Shall Assembly amendment 2 to **Assembly Bill 285** be adopted?

Motion carried.

The question was: Shall **Assembly Bill 285** be ordered engrossed and read a third time?

Motion carried.

Representative Foti asked unanimous consent that the rules be suspended and that **Assembly Bill 285** be given a third reading. Granted.

The question was: **Assembly Bill 285** having been read three times, shall the bill be passed?

Motion carried.

Representative Foti asked unanimous consent that the rules be suspended and that **Assembly Bill 285** be immediately messaged to the Senate. Granted.

Assembly Bill 589

Relating to: delivery or distribution of a controlled substance, or possession with intent to deliver or distribute a controlled substance, on or near certain places and providing a penalty.

The question was: Shall Assembly amendment 1 to **Assembly Bill 589** be adopted?

Motion carried.

The question was: Shall **Assembly Bill 589** be ordered engrossed and read a third time?

Motion carried.

Representative Foti asked unanimous consent that the rules be suspended and that **Assembly Bill 589** be given a third reading. Granted.

The question was: **Assembly Bill 589** having been read three times, shall the bill be passed?

The roll was taken.

The result follows:

Ayes – Representatives Ainsworth, Albers, Baldwin, Baumgart, Black, Bock, Boyle, Carpenter, Coggs, Cullen, Dobyns, Duff, Foti, Freese, Gard, Goetsch, Green, Gronemus, Gunderson, Hahn, Handrick, Hanson, Harsdorf, Hasenohrl, Hebl, Hoven, Huber, Hubler, Huebsch, Hutchison, Jeskewitz, Johnsrud, Kaufert, Kedzie, Kelso, Kreibich, Kreuser, Kunicki, La Fave, Ladwig, F. Lasee, Lazich, J. Lehman, M. Lehman, Linton, Lorge, Meyer, Morris–Tatum, Murat, Nass, Notestein, Olsen, Ott, Otte, Ourada, Owens, Plale, Plouff, Porter, R. Potter, Powers, Reynolds, Riley, Robson, Ryba, Schafer, Schneider, Seratti, Skindrud, Spillner, Springer, Staskunas, Sykora, Travis, Turner, Underheim, Urban, Vander Loop, Vrakas, Walker,

Ward, Wasserman, Wieckert, Williams, Wood, Ziegelbauer, Zukowski and Speaker Jensen – 88.

Noes – Representatives Dueholm, Grothman, Krug and R. Young – 4.

Paired for – Representative Krusick – 1.

Paired against – Representative L. Young – 1.

Absent or not voting – Representatives Brandemuehl, Klusman, Musser and Steinbrink – 4.

Motion carried.

Representative Foti asked unanimous consent that the rules be suspended and that **Assembly Bill 589** be immediately messaged to the Senate. Granted.

Assembly Bill 648

Relating to: persistent serious felony offenders.

Representative Dobyns asked unanimous consent that **Assembly Bill 648** be placed at the foot of the eleventh order of business on today's calendar. Granted.

LEAVES OF ABSENCE

Representative Foti asked unanimous consent for a leave of absence for the balance of today's session for Representative Zukowski. Granted.

Assembly Bill 709

Relating to: issuance of uncertified copies of vital records for events occurring before October 1, 1907.

The question was: Shall Assembly substitute amendment 1 to **Assembly Bill 709** be adopted?

Motion carried.

The question was: Shall **Assembly Bill 709** be ordered engrossed and read a third time?

Motion carried.

Representative Foti asked unanimous consent that the rules be suspended and that **Assembly Bill 709** be given a third reading. Granted.

The question was: **Assembly Bill 709** having been read three times, shall the bill be passed?

Motion carried.

Representative Foti asked unanimous consent that the rules be suspended and that **Assembly Bill 709** be immediately messaged to the Senate. Granted.

Assembly Bill 742

Relating to: threats to cause bodily harm to a witness or to damage the property of a witness and providing penalties.

The question was: Shall **Assembly Bill 742** be ordered engrossed and read a third time?

Motion carried.

Representative Foti asked unanimous consent that the rules be suspended and that **Assembly Bill 742** be given a third reading. Granted.

The question was: **Assembly Bill 742** having been read three times, shall the bill be passed?

Motion carried.

Representative Foti asked unanimous consent that the rules be suspended and that **Assembly Bill 742** be immediately messaged to the Senate. Granted.

Assembly Bill 751

Relating to: prohibiting the granting of visitation or physical placement with a child to a parent or other person who intentionally kills a parent of the child.

The question was: Shall **Assembly Bill 751** be ordered engrossed and read a third time?

Motion carried.

Representative Foti asked unanimous consent that the rules be suspended and that **Assembly Bill 751** be given a third reading. Granted.

The question was: **Assembly Bill 751** having been read three times, shall the bill be passed?

Motion carried.

Representative Foti asked unanimous consent that the rules be suspended and that **Assembly Bill 751** be immediately messaged to the Senate. Granted.

Assembly Bill 773

Relating to: formation of mutual insurance holding companies, requiring the exercise of rule-making authority and making an appropriation.

Representative Foti asked unanimous consent that **Assembly Bill 773** be referred to the joint committee on **Finance**. Granted.

Representative Foti asked unanimous consent that the rules be suspended and that **Assembly Bill 773** be withdrawn from the joint committee on **Finance** and taken up at this time. Granted.

The question was: Shall Assembly amendment 1 to **Assembly Bill 773** be adopted?

Motion carried.

The question was: Shall Assembly amendment 2 to **Assembly Bill 773** be adopted?

Motion carried.

The question was: Shall **Assembly Bill 773** be ordered engrossed and read a third time?

Motion carried.

Representative Foti asked unanimous consent that the rules be suspended and that **Assembly Bill 773** be given a third reading. Granted.

The question was: **Assembly Bill 773** having been read three times, shall the bill be passed?

The roll was taken.

The result follows:

Ayes – Representatives Ainsworth, Albers, Baldwin, Baumgart, Black, Bock, Boyle, Carpenter, Cogg, Cullen, Dobyns, Dueholm, Duff, Foti, Freese, Gard, Goetsch, Green, Gronemus, Grothman, Gunderson, Hahn, Handrick, Hanson, Harsdorf, Hasenohrl, Hebl, Hoven, Huber, Hubler, Huebsch, Hutchison, Jeskewitz, Johnsrud, Kaufert, Kedzie, Kelso, Kreibich, Kreuser, Krug, Kunicki, La Fave, Ladwig, F. Lasee, Lazich, J. Lehman, M. Lehman, Linton, Lorge, Meyer, Morris–Tatum, Murat, Nass, Notestein, Olsen, Ott, Otte, Ourada, Owens, Plale, Plouff, Porter, R. Potter, Powers, Reynolds, Riley, Robson, Ryba, Schafer, Schneider, Seratti, Skindrud, Spillner, Springer, Staskunas, Sykora, Travis, Turner, Underheim, Urban, Vander Loop, Vrakas, Walker, Ward, Wasserman, Wieckert, Williams, Wood, L. Young, R. Young, Ziegelbauer and Speaker Jensen – 92.

Noes – None.

Absent or not voting – Representatives Brandemuehl, Klusman, Krusick, Musser, Steinbrink and Zukowski – 6.

Motion carried.

Representative Foti asked unanimous consent that the rules be suspended and that **Assembly Bill 773** be immediately messaged to the Senate. Granted.

Representative Ladwig asked unanimous consent that the rules be suspended and that the Assembly proceed to the 12th order of business on today's calendar. Granted.

Senate Bill 107

Relating to: the term of the student member of the state technical college board.

The question was: Shall **Senate Bill 107** be ordered to a third reading?

Motion carried.

Representative Ladwig asked unanimous consent that the rules be suspended and that **Senate Bill 107** be given a third reading. Granted.

The question was: **Senate Bill 107** having been read three times, shall the bill be concurred in?

Motion carried.

Representative Ladwig asked unanimous consent that the rules be suspended and that **Senate Bill 107** be immediately messaged to the Senate. Granted.

Senate Bill 315

Relating to: eliminating the office of health care information and transferring functions related to collection, analysis and dissemination of health care information to the department of health and family services, confidentiality of patient health care records, granting rule-making authority, providing a penalty and making appropriations.

Representative Ladwig asked unanimous consent that **Senate Bill 315** be placed at the foot of today's calendar. Granted.

Senate Bill 321

Relating to: increasing the number of circuit court branches.

The question was: Shall **Senate Bill 321** be ordered to a third reading?

Motion carried.

Representative Ladwig asked unanimous consent that the rules be suspended and that **Senate Bill 321** be given a third reading. Granted.

The question was: **Senate Bill 321** having been read three times, shall the bill be concurred in?

The roll was taken.

The result follows:

Ayes – Representatives Ainsworth, Albers, Baldwin, Baumgart, Black, Bock, Boyle, Carpenter, Coggs, Cullen, Dobyns, Dueholm, Duff, Foti, Gard, Goetsch, Green, Gronemus, Gunderson, Hahn, Handrick, Hanson, Harsdorf, Hasenohrl, Hebl, Hoven, Huber, Hubler, Huebsch, Hutchison, Jeskewitz, Johnsrud, Kaufert, Kedzie, Kelso, Kreibich, Kreuser, Krug, Kunicki, La Fave, Ladwig, J. Lehman, Linton, Meyer, Morris–Tatum, Murat, Nass, Notestein, Olsen, Ott, Otte, Ourada, Owens, Plale, Plouff, Porter, R. Potter, Powers, Reynolds, Riley, Robson, Ryba, Schafer, Schneider, Seratti, Skindrud, Spillner, Springer, Staskunas, Sykora, Travis, Turner, Underheim, Urban, Vander Loop, Vrakas, Walker, Ward, Wasserman, Wieckert, Williams, Wood, L. Young, Ziegelbauer and Speaker Jensen – 85.

Noes – Representatives Freese, Grothman, F. Lasee, Lazich, M. Lehman, Lorge and R. Young – 7.

Absent or not voting – Representatives Brandemuehl, Klusman, Krusick, Musser, Steinbrink and Zukowski – 6.

Motion carried.

Representative Ladwig asked unanimous consent that the rules be suspended and that **Senate Bill 321** be immediately messaged to the Senate. Granted.

Assembly Bill 648

Relating to: persistent serious felony offenders.

Assembly amendment 1 to **Assembly Bill 648** offered by Representatives L. Young, Dobyns and Morris–Tatum.

The question was: Shall Assembly amendment 1 to **Assembly Bill 648** be adopted?

Motion carried.

Assembly amendment 2 to **Assembly Bill 648** offered by Representative Kreuser.

Representative Kreuser asked unanimous consent that Assembly amendment 2 to **Assembly Bill 648** be withdrawn and returned to the author. Granted.

The question was: Shall **Assembly Bill 648** be ordered engrossed and read a third time?

Motion carried.

Representative Foti asked unanimous consent that the rules be suspended and that **Assembly Bill 648** be given a third reading. Granted.

The question was: **Assembly Bill 648** having been read three times, shall the bill be passed?

The roll was taken.

The result follows:

Ayes – Representatives Ainsworth, Albers, Baldwin, Baumgart, Carpenter, Cullen, Dobyns, Duff, Foti, Freese, Gard, Goetsch, Green, Gronemus, Gunderson, Hahn, Handrick, Hanson, Harsdorf, Hasenohrl, Hebl, Hoven, Huber, Huebsch, Jeskewitz, Johnsrud, Kaufert, Kedzie, Kelso, Kreibich, La Fave, Ladwig, F. Lasee, Lazich, J. Lehman, M. Lehman, Linton, Lorge, Nass, Olsen, Ott, Otte, Ourada, Owens, Plale, Plouff, Porter, Robson, Ryba, Schafer, Seratti, Skindrud, Spillner, Springer, Sykora, Turner, Underheim, Urban, Vander Loop, Vrakas, Walker, Ward, Wasserman, Wieckert, L. Young, Ziegelbauer and Speaker Jensen – 67.

Noes – Representatives Black, Bock, Boyle, Coggs, Dueholm, Grothman, Hubler, Hutchison, Kreuser, Krug, Kunicki, Meyer, Morris–Tatum, Murat, Notestein, R. Potter, Powers, Reynolds, Riley, Schneider, Travis, Williams, Wood and R. Young – 24.

Paired for – Representative Krusick – 1.

Paired against – Representative Staskunas – 1.

Absent or not voting – Representatives Brandemuehl, Klusman, Musser, Steinbrink and Zukowski – 5.

Motion carried.

Representative Foti asked unanimous consent that the rules be suspended and that **Assembly Bill 648** be immediately messaged to the Senate. Granted.

Senate Bill 315

Relating to: eliminating the office of health care information and transferring functions related to collection, analysis and dissemination of health care information to the department of health and family services, confidentiality of patient health care records, granting rule-making authority, providing a penalty and making appropriations.

Representative Urban moved that **Senate Bill 315** be rereferred to the committee on **Health**.

The question was: Shall **Senate Bill 315** be rereferred to the committee on **Health**?

The roll was taken.

The result follows:

Ayes – Representatives Black, Dueholm, Freese, Gronemus, Handrick, Hanson, Hasenohrl, Jeskewitz, Lazich, Linton, Meyer, Reynolds, Skindrud, Travis, Urban, Wasserman and Williams – 17.

Noes – Representatives Ainsworth, Albers, Baldwin, Baumgart, Bock, Boyle, Carpenter, Coggs, Cullen, Dobyns, Duff, Foti, Gard, Goetsch, Green, Grothman, Gunderson,

Hahn, Harsdorf, Hebl, Hoven, Huber, Hubler, Huebsch, Hutchison, Johnsrud, Kaufert, Kedzie, Kelso, Kreibich, Kreuser, Krug, Kunicki, La Fave, Ladwig, F. Lasee, J. Lehman, M. Lehman, Lorge, Morris-Tatum, Murat, Nass, Notestein, Olsen, Ott, Otte, Ourada, Owens, Plale, Plouff, Porter, R. Potter, Powers, Riley, Robson, Ryba, Schafer, Schneider, Seratti, Spillner, Springer, Staskunas, Sykora, Turner, Underheim, Vander Loop, Vrakas, Walker, Ward, Wieckert, Wood, L. Young, R. Young, Ziegelbauer and Speaker Jensen – 75.

Absent or not voting – Representatives Brandemuehl, Klusman, Krusick, Musser, Steinbrink and Zukowski – 6.

Motion failed.

The question was: Shall Assembly amendment 1 to **Senate Bill 315** be adopted?

Motion carried.

The question was: Shall Assembly amendment 2 to **Senate Bill 315** be adopted?

Motion carried.

The question was: Shall Assembly amendment 3 to **Senate Bill 315** be adopted?

Motion carried.

The question was: Shall Assembly amendment 4 to **Senate Bill 315** be adopted?

Motion carried.

Representative Underheim asked unanimous consent that Assembly amendment 5 to **Senate Bill 315** be placed after Assembly amendment 22 to **Senate Bill 315** on today's calendar. Granted.

The Assembly stood informal.

Assembly amendment 23 to **Senate Bill 315** offered by Representative Wasserman.

Assembly amendment 24 to **Senate Bill 315** offered by Representative Underheim.

Assembly amendment 25 to **Senate Bill 315** offered by Representatives Underheim and Robson.

Assembly amendment 26 to **Senate Bill 315** offered by Representatives Freese and Albers.

Assembly amendment 27 to **Senate Bill 315** offered by Representative Meyer.

Assembly amendment 28 to **Senate Bill 315** offered by Representative Underheim.

Representative Underheim asked unanimous consent that the rules be suspended and that Assembly amendments 5, 25, 28, 17 and 15 to **Senate Bill 315** be taken up at this time. Granted.

The question was: Shall Assembly amendment 5 to **Senate Bill 315** be adopted?

Motion carried.

The question was: Shall Assembly amendment 25 to **Senate Bill 315** be adopted?

Motion carried.

Representative Meyer asked unanimous consent that Assembly amendment 11 to **Senate Bill 315** be revived. Granted

Representative Underheim moved that Assembly amendment 11 to **Senate Bill 315** be laid on the table.

The question was: Shall Assembly amendment 11 to **Senate Bill 315** be laid on the table?

The roll was taken.

The result follows:

Ayes – Representatives Ainsworth, Baldwin, Baumgart, Bock, Boyle, Carpenter, Coggs, Cullen, Dobyms, Duff, Gard, Goetsch, Green, Grothman, Gunderson, Hahn, Harsdorf, Hasenohrl, Hebl, Huber, Hubler, Hutchison, Johnsrud, Kaufert, Kedzie, Kelso, Kreibich, Kreuser, Krug, La Fave, Ladwig, F. Lasee, J. Lehman, Linton, Morris-Tatum, Murat, Nass, Notestein, Olsen, Ott, Otte, Ourada, Plale, Plouff, Porter, R. Potter, Powers, Reynolds, Riley, Robson, Ryba, Schafer, Seratti, Spillner, Springer, Staskunas, Sykora, Turner, Underheim, Vander Loop, Vrakas, Wieckert, Williams, Wood, L. Young, R. Young, Ziegelbauer and Speaker Jensen – 68.

Noes – Representatives Albers, Black, Dueholm, Foti, Freese, Gronemus, Handrick, Hanson, Hoven, Huebsch, Jeskewitz, Kunicki, Lazich, M. Lehman, Lorge, Meyer, Owens, Schneider, Skindrud, Travis, Urban, Walker, Ward and Wasserman – 24.

Absent or not voting – Representatives Brandemuehl, Klusman, Krusick, Musser, Steinbrink and Zukowski – 6.

Motion carried.

Representative Wasserman asked unanimous consent that Assembly amendment 8 to **Senate Bill 315** be revived. Granted

Representative Underheim moved that Assembly amendment 8 to **Senate Bill 315** be laid on the table.

The question was: Shall Assembly amendment 8 to **Senate Bill 315** be laid on the table?

The roll was taken.

The result follows:

Ayes – Representatives Ainsworth, Baldwin, Baumgart, Bock, Carpenter, Coggs, Cullen, Dobyms, Gard, Goetsch, Grothman, Gunderson, Hahn, Harsdorf, Hasenohrl, Huber, Hutchison, Johnsrud, Kedzie, Kelso, Kreibich, Kreuser, Krug, La Fave, F. Lasee, Lazich, Linton, Morris-Tatum, Nass, Olsen, Ott, Otte, Ourada, Owens, Plale, Plouff, Powers, Riley, Robson, Ryba, Schafer, Seratti, Spillner, Springer, Staskunas, Turner, Underheim, Vander Loop, Vrakas, Ward, Wieckert, Williams, L. Young, R. Young, Ziegelbauer and Speaker Jensen – 56.

Noes – Representatives Albers, Black, Boyle, Dueholm, Duff, Foti, Freese, Green, Gronemus, Handrick, Hanson, Hebl, Hoven, Hubler, Huebsch, Jeskewitz, Kaufert, Kunicki, Ladwig, J. Lehman, M. Lehman, Lorge, Meyer, Murat, Notestein, Porter, R. Potter, Reynolds, Schneider, Skindrud, Sykora, Travis, Urban, Walker, Wasserman and Wood – 36.

Absent or not voting – Representatives Brandemuehl, Klusman, Krusick, Musser, Steinbrink and Zukowski – 6.

Motion carried.

Assembly amendment 1 to Assembly amendment 28 to **Senate Bill 315** offered by Representative Underheim.

LEAVES OF ABSENCE

Representative Vrakas asked unanimous consent for a leave of absence for the balance of today's session for Representative Urban. Granted.

The question was: Shall Assembly amendment 1 to Assembly amendment 28 to **Senate Bill 315** be adopted?

Motion carried.

Representative Underheim asked unanimous consent that Assembly amendment 28 to **Senate Bill 315** be placed after Assembly amendment 17 to **Senate Bill 315**. Granted.

Assembly amendment 1 to Assembly amendment 17 to **Senate Bill 315** offered by Representative Lazich.

Representative Klusman asked unanimous consent that her leave of absence be lifted. Granted.

The question was: Shall Assembly amendment 1 to Assembly amendment 17 to **Senate Bill 315** be adopted?

The roll was taken.

The result follows:

Ayes – Representatives Albers, Black, Carpenter, Dueholm, Duff, Freese, Green, Gronemus, Gunderson, Hahn, Handrick, Hanson, Hasenohrl, Hoven, Hutchison, Jeskewitz, Kedzie, Klusman, Ladwig, Lazich, M. Lehman, Meyer, Murat, Nass, Owens, Powers, Riley, Skindrud, Travis, Walker, Ward, Wasserman, Wood and Ziegelbauer – 34.

Noes – Representatives Ainsworth, Baldwin, Baumgart, Bock, Boyle, Coggs, Cullen, Dobyns, Foti, Gard, Goetsch, Grothman, Harsdorf, Hebl, Huber, Hubler, Huebsch, Johnsrud, Kaufert, Kelso, Kreibich, Kreuser, Krug, Kunicki, La Fave, F. Lasee, J. Lehman, Linton, Lorge, Morris–Tatum, Notestein, Olsen, Ott, Otte, Ourada, Plale, Plouff, Porter, R. Potter, Reynolds, Robson, Ryba, Schafer, Schneider, Seratti, Spillner, Springer, Staskunas, Sykora, Turner, Underheim, Vander Loop, Vrakas, Wieckert, Williams, L. Young, R. Young and Speaker Jensen – 58.

Absent or not voting – Representatives Brandemuehl, Krusick, Musser, Steinbrink, Urban and Zukowski – 6.

Motion failed.

Assembly amendment 2 to Assembly amendment 17 to **Senate Bill 315** offered by Representative Robson.

Representative Robson asked unanimous consent that Assembly amendment 2 to Assembly amendment 17 to **Senate Bill 315** be withdrawn and returned to the author. Granted.

Representative Underheim moved that Assembly amendment 17 to **Senate Bill 315** be laid on the table.

Representative Lazich moved that **Senate Bill 315** be laid on the table.

The question was: Shall **Senate Bill 315** be laid on the table?

The roll was taken.

The result follows:

Ayes – Representatives Dueholm, Foti, Freese, Gronemus, Handrick, Hasenohrl, Hoven, Huebsch, Kreibich, Lazich, M. Lehman, Meyer, Powers, Schafer, Skindrud, Travis, Walker and Wasserman – 18.

Noes – Representatives Ainsworth, Albers, Baldwin, Baumgart, Black, Bock, Boyle, Carpenter, Coggs, Cullen, Dobyns, Duff, Gard, Goetsch, Green, Grothman, Gunderson, Hahn, Hanson, Harsdorf, Hebl, Huber, Hubler, Hutchison, Jeskewitz, Johnsrud, Kaufert, Kedzie, Kelso, Klusman, Kreuser, Krug, Kunicki, La Fave, Ladwig, F. Lasee, J. Lehman, Linton, Lorge, Morris–Tatum, Murat, Nass, Notestein, Olsen, Ott, Otte, Ourada, Owens, Plale, Plouff, Porter, R. Potter, Reynolds, Riley, Robson, Ryba, Schneider, Seratti, Spillner, Springer, Staskunas, Sykora, Turner, Underheim, Vander Loop, Vrakas, Ward, Wieckert, Williams, Wood, L. Young, R. Young, Ziegelbauer and Speaker Jensen – 74.

Absent or not voting – Representatives Brandemuehl, Krusick, Musser, Steinbrink, Urban and Zukowski – 6.

Motion failed.

The question was: Shall Assembly amendment 17 to **Senate Bill 315** be laid on the table?

The roll was taken.

The result follows:

Ayes – Representatives Ainsworth, Albers, Baldwin, Baumgart, Bock, Boyle, Carpenter, Coggs, Cullen, Dobyns, Duff, Foti, Gard, Goetsch, Grothman, Gunderson, Hahn, Harsdorf, Hebl, Huber, Huebsch, Hutchison, Johnsrud, Kaufert, Kedzie, Kelso, Klusman, Kreibich, Kreuser, Krug, La Fave, Ladwig, F. Lasee, J. Lehman, Lorge, Morris–Tatum, Murat, Nass, Notestein, Olsen, Ott, Otte, Ourada, Owens, Plale, Plouff, Porter, R. Potter, Reynolds, Robson, Ryba, Schafer, Seratti, Spillner, Springer, Staskunas, Sykora, Turner, Underheim, Vander Loop, Vrakas, Wieckert, Williams, L. Young, R. Young and Speaker Jensen – 66.

Noes – Representatives Black, Dueholm, Freese, Green, Gronemus, Handrick, Hanson, Hasenohrl, Hoven, Hubler, Jeskewitz, Kunicki, Lazich, M. Lehman, Linton, Meyer, Powers, Riley, Schneider, Skindrud, Travis, Walker, Ward, Wasserman, Wood and Ziegelbauer – 26.

Absent or not voting – Representatives Brandemuehl, Krusick, Musser, Steinbrink, Urban and Zukowski – 6.

Motion carried.

The question was: Shall Assembly amendment 28 to **Senate Bill 315** be adopted?

The roll was taken.

The result follows:

Ayes – Representatives Ainsworth, Albers, Baldwin, Baumgart, Black, Bock, Boyle, Carpenter, Coggs, Cullen, Dobyns, Dueholm, Duff, Foti, Freese, Gard, Goetsch, Green, Gronemus, Grothman, Gunderson, Hahn, Handrick, Hanson, Harsdorf, Hasenohrl, Hebl, Hoven, Huber, Hubler, Huebsch, Hutchison, Jeskewitz, Johnsrud, Kaufert, Kedzie, Kelso, Klusman, Kreibich, Kreuser, Krug, Kunicki, La Fave, Ladwig, F. Lasee, Lazich, J. Lehman, M. Lehman, Linton, Lorge, Meyer, Morris–Tatum, Murat, Nass, Notestein, Olsen, Ott, Otte, Ourada, Owens, Plale, Plouff, Porter, R. Potter, Powers, Reynolds, Riley, Robson, Ryba, Schafer, Schneider, Seratti, Skindrud, Spillner, Springer, Staskunas, Sykora, Travis, Turner, Underheim, Vander Loop, Vrakas, Walker, Ward, Wasserman, Wieckert, Williams, Wood, L. Young, R. Young, Ziegelbauer and Speaker Jensen – 92.

Noes – None.

Absent or not voting – Representatives Brandemuehl, Krusick, Musser, Steinbrink, Urban and Zukowski – 6.

Motion carried.

Representative Underheim moved that Assembly amendment 15 to **Senate Bill 315** be laid on the table.

The question was: Shall Assembly amendment 15 to **Senate Bill 315** be laid on the table?

The roll was taken.

The result follows:

Ayes – Representatives Ainsworth, Baldwin, Bock, Cullen, Dobyns, Duff, Gard, Goetsch, Grothman, Gunderson, Hahn, Hanson, Harsdorf, Hebl, Huber, Hutchison, Johnsrud, Kaufert, Kedzie, Kelso, Kreibich, Kreuser, La Fave, Ladwig, F. Lasee, J. Lehman, Lorge, Murat, Nass, Notestein, Olsen, Ott, Otte, Ourada, Owens, Plale, Plouff, Porter, Powers, Reynolds, Robson, Ryba, Schafer, Seratti, Spillner, Staskunas, Sykora, Turner, Underheim, Vander Loop, Vrakas, Wieckert, Wood, R. Young and Speaker Jensen – 55.

Noes – Representatives Albers, Baumgart, Black, Boyle, Carpenter, Coggs, Dueholm, Foti, Freese, Green, Gronemus, Handrick, Hasenohrl, Hoven, Hubler, Huebsch, Jeskewitz, Klusman, Krug, Kunicki, Lazich, M. Lehman, Linton, Meyer, Morris–Tatum, R. Potter, Riley, Schneider, Skindrud, Springer, Travis, Walker, Ward, Wasserman, Williams, L. Young and Ziegelbauer – 37.

Absent or not voting – Representatives Brandemuehl, Krusick, Musser, Steinbrink, Urban and Zukowski – 6.

Motion carried.

The question was: Shall Assembly amendment 21 to **Senate Bill 315** be adopted?

Motion carried.

Representative Underheim asked unanimous consent that Assembly amendment 22 to **Senate Bill 315** be laid on the table. Granted.

Representative Underheim moved that Assembly amendment 23 to **Senate Bill 315** be laid on the table.

The Assembly stood informal.

Representative Underheim asked unanimous consent that Assembly amendment 23 to **Senate Bill 315** be placed after Assembly amendment 29 to **Senate Bill 315**. Granted.

Representative Underheim asked unanimous consent that Assembly amendment 24 to **Senate Bill 315** be withdrawn and returned to the author. Granted.

Representative Underheim asked unanimous consent that Assembly amendment 26 to **Senate Bill 315** be placed after Assembly amendment 27 to **Senate Bill 315**. Granted.

Representative Underheim moved that Assembly amendment 27 to **Senate Bill 315** be laid on the table.

POINT OF ORDER

Representative Wasserman rose to the point of order that Assembly amendment 27 to **Senate Bill 315** was not germane under Assembly Rule 54 (3) (f).

Speaker pro tempore Freese took the point of order under advisement.

Speaker Jensen in the chair.

Representative Johnsrud moved that Assembly amendment 26 to **Senate Bill 315** be laid on the table.

The question was: Shall Assembly amendment 26 to **Senate Bill 315** be laid on the table?

The roll was taken.

The result follows:

Ayes – Representatives Ainsworth, Baldwin, Baumgart, Black, Bock, Boyle, Carpenter, Coggs, Cullen, Dobyns, Duff, Foti, Gard, Goetsch, Gunderson, Hahn, Hanson, Harsdorf, Hebl, Huber, Huebsch, Hutchison, Johnsrud, Kaufert, Kedzie, Kelso, Klusman, Kreibich, Kreuser, Krug, Kunicki, La Fave, F. Lasee, J. Lehman, M. Lehman, Morris–Tatum, Murat, Nass, Notestein, Olsen, Otte, Ourada, Owens, Plale, Plouff, R. Potter, Powers, Riley, Robson, Ryba, Schafer, Schneider, Seratti, Spillner, Springer, Staskunas, Sykora, Turner, Underheim, Vander Loop, Vrakas, Wieckert, Wood, L. Young, R. Young, Ziegelbauer and Speaker Jensen – 67.

Noes – Representatives Albers, Dueholm, Freese, Green, Gronemus, Handrick, Hasenohrl, Hoven, Hubler, Jeskewitz, Ladwig, Lazich, Linton, Lorge, Meyer, Porter, Reynolds, Skindrud, Travis, Walker, Ward, Wasserman and Williams – 23.

Absent or not voting – Representatives Brandemuehl, Grothman, Krusick, Musser, Ott, Steinbrink, Urban and Zukowski – 8.

Motion carried.

Representative Grothman asked unanimous consent to be recorded as voting “Aye” on the previous question. Granted.

Assembly amendment 29 to **Senate Bill 315** offered by Representatives Murat, Underheim, Schneider and Robson.

The question was: Shall Assembly amendment 29 to **Senate Bill 315** be adopted?

Motion carried.

Representative Underheim moved that Assembly amendment 23 to **Senate Bill 315** be laid on the table.

Representative Freese asked unanimous consent that Assembly amendment 23 to **Senate Bill 315** be laid on the table. Granted.

Assembly amendment 30 to **Senate Bill 315** offered by Representative Wasserman.

Representative Underheim moved that Assembly amendment 30 to **Senate Bill 315** be laid on the table.

The question was: Shall Assembly amendment 30 to **Senate Bill 315** be laid on the table?

The roll was taken.

The result follows:

Ayes – Representatives Ainsworth, Albers, Baldwin, Bock, Coggs, Cullen, Dobyns, Duff, Gard, Goetsch, Grothman, Gunderson, Hahn, Harsdorf, Hasenohrl, Huber, Huebsch, Hutchison, Johnsrud, Kedzie, Kelso, Klusman, Kreuser, Krug, Kunicki, Ladwig, F. Lasee, J. Lehman, Linton, Morris–Tatum, Nass, Notestein, Ott, Otte, Ourada, Owens, Plale, Plouff, R. Potter, Powers, Robson, Ryba, Schafer, Seratti, Spillner, Springer, Staskunas, Sykora, Turner, Underheim, Vrakas, Ward, Wieckert, Williams, L. Young, Ziegelbauer and Speaker Jensen – 57.

Noes – Representatives Baumgart, Black, Boyle, Carpenter, Dueholm, Foti, Freese, Green, Gronemus, Handrick, Hanson, Hebl, Hoven, Hubler, Jeskewitz, Kaufert, Kreibich, La Fave, Lazich, M. Lehman, Lorge, Meyer, Murat, Olsen, Porter, Reynolds, Riley, Schneider, Skindrud, Travis, Vander Loop, Walker, Wasserman, Wood and R. Young – 35.

Absent or not voting – Representatives Brandemuehl, Krusick, Musser, Steinbrink, Urban and Zukowski – 6.

Motion carried.

Representative Grothman asked unanimous consent to be made a coauthor of **Assembly Bill 177**. Granted.

The Assembly stood informal.

Assembly amendment 31 to **Senate Bill 315** offered by Representatives Freese, Albers, Porter and Wasserman.

Representative Freese asked unanimous consent that Assembly amendment 31 to **Senate Bill 315** be laid on the table. Granted.

Representative Freese asked unanimous consent that Assembly amendment 23 to **Senate Bill 315** be taken from the table and taken up at this time. Granted.

Assembly amendment 1 to Assembly amendment 23 to **Senate Bill 315** offered by Representatives Freese, Gard and Wasserman.

The question was: Shall Assembly amendment 1 to Assembly amendment 23 to **Senate Bill 315** be adopted?

Motion carried.

Representative Underheim moved that Assembly amendment 23 to **Senate Bill 315** be laid on the table.

The question was: Shall Assembly amendment 23 to **Senate Bill 315** be laid on the table?

The roll was taken.

The result follows:

Ayes – Representatives Baldwin, Baumgart, Bock, Boyle, Coggs, Cullen, Dueholm, Duff, Grothman, Hanson, Huber, Hubler, Johnsrud, Kedzie, Kelso, Klusman, Kreuser, Krug, La Fave, Lazich, J. Lehman, Linton, Morris–Tatum, Nass, Notestein, Ott, Otte, Ourada, Owens, Plouff, R. Potter, Powers, Reynolds, Robson, Ryba, Seratti, Spillner, Springer, Staskunas, Turner, Underheim, Vander Loop, Vrakas, Williams, L. Young and R. Young – 46.

Noes – Representatives Ainsworth, Albers, Black, Carpenter, Dobyns, Foti, Freese, Gard, Goetsch, Green, Gronemus, Gunderson, Hahn, Handrick, Harsdorf, Hasenohrl, Hebl, Hoven, Huebsch, Hutchison, Jeskewitz, Kaufert, Kreibich, Kunicki, Ladwig, F. Lasee, M. Lehman, Lorge, Meyer, Murat, Olsen, Plale, Porter, Riley, Schafer, Schneider, Skindrud, Sykora, Travis, Walker, Ward, Wasserman, Wieckert, Wood, Ziegelbauer and Speaker Jensen – 46.

Absent or not voting – Representatives Brandemuehl, Krusick, Musser, Steinbrink, Urban and Zukowski – 6.

Motion failed.

Representative Krug moved rejection of Assembly amendment 23 to **Senate Bill 315**.

The question was: Shall Assembly amendment 23 to **Senate Bill 315** be rejected?

The roll was taken.

The result follows:

Ayes – Representatives Baldwin, Baumgart, Bock, Boyle, Coggs, Cullen, Dueholm, Grothman, Hanson, Hebl, Huber, Hubler, Johnsrud, Kelso, Kreuser, Krug, Kunicki, La Fave, Lazich, J. Lehman, Morris–Tatum, Murat, Nass, Notestein, Ott, Otte, Ourada, Owens, Plouff, R. Potter, Powers, Reynolds, Robson, Ryba, Schneider, Seratti, Spillner, Springer, Staskunas, Turner, Underheim, Vander Loop, Vrakas, Williams, L. Young and R. Young – 46.

Noes – Representatives Ainsworth, Albers, Black, Carpenter, Dobyns, Duff, Foti, Freese, Gard, Goetsch, Green, Gronemus, Gunderson, Hahn, Handrick, Harsdorf, Hasenohrl, Hoven, Huebsch, Hutchison, Jeskewitz, Kaufert, Kedzie, Klusman, Kreibich, Ladwig, F. Lasee, M. Lehman, Linton, Lorge, Meyer, Olsen, Plale, Porter, Riley, Schafer, Skindrud, Sykora, Travis, Walker, Ward, Wasserman, Wieckert, Wood, Ziegelbauer and Speaker Jensen – 46.

Absent or not voting – Representatives Brandemuehl, Krusick, Musser, Steinbrink, Urban and Zukowski – 6.

Motion failed.

The question was: Shall Assembly amendment 23 to **Senate Bill 315** be adopted?

The roll was taken.

The result follows:

Ayes – Representatives Ainsworth, Albers, Black, Carpenter, Dobyns, Duff, Foti, Freese, Gard, Goetsch, Green, Gronemus, Gunderson, Hahn, Handrick, Harsdorf, Hasenohrl, Hebl, Hoven, Huebsch, Hutchison, Jeskewitz, Kaufert, Kedzie, Klusman, Kreibich, Ladwig, F. Lasee, M. Lehman, Lorge, Meyer, Olsen, Owens, Plale, Porter, Reynolds, Riley, Schafer, Seratti, Skindrud, Sykora, Travis, Walker, Ward, Wasserman, Wieckert, Wood, Ziegelbauer and Speaker Jensen – 49.

Noes – Representatives Baldwin, Baumgart, Bock, Boyle, Coggs, Cullen, Dueholm, Grothman, Hanson, Huber, Hubler, Johnsrud, Kelso, Kreuser, Krug, Kunicki, La Fave, Lazich, J. Lehman, Linton, Morris–Tatum, Murat, Nass, Notestein, Ott, Otte, Ourada, Plouff, R. Potter, Powers, Robson, Ryba, Schneider, Spillner, Springer, Staskunas, Turner, Underheim, Vander Loop, Vrakas, Williams, L. Young and R. Young – 43.

Absent or not voting – Representatives Brandemuehl, Krusick, Musser, Steinbrink, Urban and Zukowski – 6.

Motion carried.

The Assembly stood informal.

Speaker Pro Tempore Freese in the chair.

Representative Wasserman withdrew his point of order that Assembly amendment 27 to **Senate Bill 315** was not germane under Assembly Rule 54(3)(f).

Representative Meyer asked unanimous consent that Assembly amendment 27 to **Senate Bill 315** be withdrawn and returned to the author. Granted.

The question was: Shall **Senate Bill 315** be ordered to a third reading?

The roll was taken.

The result follows:

Ayes – Representatives Ainsworth, Albers, Baldwin, Baumgart, Bock, Boyle, Carpenter, Coggs, Cullen, Dobyns, Dueholm, Duff, Freese, Gard, Goetsch, Green, Gronemus, Grothman, Gunderson, Hahn, Handrick, Hanson, Harsdorf, Hasenohrl, Hebl, Huber, Hubler, Huebsch, Hutchison, Jeskewitz, Johnsrud, Kaufert, Kedzie, Kelso, Klusman, Kreibich, Kreuser, Krug, Kunicki, La Fave, Ladwig, F. Lasee, J. Lehman, Linton, Lorge, Meyer, Morris–Tatum, Murat, Nass, Notestein, Olsen, Ott, Otte, Ourada, Owens, Plale, Plouff, R. Potter, Powers, Reynolds, Robson, Ryba, Schafer, Schneider, Seratti, Skindrud, Spillner, Springer, Staskunas, Sykora, Turner, Underheim, Vander Loop, Vrakas, Ward, Wasserman, Wieckert, Williams, Wood, L. Young, R. Young, Ziegelbauer and Speaker Jensen – 83.

Noes – Representatives Black, Foti, Hoven, Lazich, M. Lehman, Porter, Riley, Travis and Walker – 9.

Absent or not voting – Representatives Brandemuehl, Krusick, Musser, Steinbrink, Urban and Zukowski – 6.

Motion carried.

Representative Foti asked unanimous consent that the rules be suspended and that **Senate Bill 315** be given a third reading.

Representative Wasserman objected.

MOTIONS

Representative Foti asked unanimous consent that the rules be suspended and that **Assembly Bill 842** be withdrawn from the joint committee for review of **Administrative Rules** and referred to the Assembly committee for review of **Administrative Rules**. Granted.

Representative Gard asked unanimous consent that the rules be suspended and that **Assembly Bill 638** be withdrawn from the joint committee on **Finance** and referred to the committee on **Rules**. Granted.

Representative Dobyns asked unanimous consent that **Assembly Bill 75** be withdrawn from the committee on **Urban and Local Affairs** and referred to the committee on **Rules**.

Representative Carpenter objected.

Representative Dobyns asked unanimous consent that **Assembly Bill 75** be withdrawn from the committee on **Urban and Local Affairs** and referred to the committee on **Rules**.

Representative Kunicki objected.

Representative Dobyns moved that **Assembly Bill 75** be withdrawn from the committee on **Urban and Local Affairs** and referred to the committee on **Rules**.

The question was: Shall **Assembly Bill 75** be withdrawn from the committee on **Urban and Local Affairs** and referred to the committee on **Rules**?

The roll was taken.

The result follows:

Ayes – Representatives Dobyns, Goetsch, Gunderson, Hahn, Handrick, Hoven, Huebsch, Lazich, Lorge, Nass, Schafer, Sykora and Walker – 13.

Noes – Representatives Ainsworth, Albers, Baldwin, Baumgart, Black, Bock, Boyle, Carpenter, Coggs, Cullen, Dueholm, Duff, Foti, Freese, Gard, Green, Gronemus, Grothman, Hanson, Harsdorf, Hasenohrl, Hebl, Huber, Hubler, Hutchison, Jeskewitz, Johnsrud, Kaufert, Kedzie, Kelso, Klusman, Kreibich, Kreuser, Krug, Kunicki, La Fave, Ladwig, F. Lasee, J. Lehman, M. Lehman, Linton, Meyer, Morris–Tatum, Murat, Notestein, Olsen, Ott, Otte, Ourada, Owens, Plouff, Porter, R. Potter, Powers, Reynolds, Riley, Robson, Ryba, Schneider, Seratti, Skindrud, Spillner, Springer, Staskunas, Travis, Turner, Underheim, Vander Loop, Vrakas, Ward, Wasserman, Wieckert, Williams, Wood, L. Young, R. Young, Ziegelbauer and Speaker Jensen – 78.

Absent or not voting – Representatives Brandemuehl, Krusick, Musser, Plale, Steinbrink, Urban and Zukowski – 7.

Motion failed.

COMMUNICATIONS

March 10, 1998

Charles Sanders
Assembly Chief Clerk
1 East Main Street, Suite 402
Madison, WI 53708

Dear Charlie:

With the exception of the bills I was paired on, please register me as voting "Aye" on the following bills from Tuesday, March 10 during my leave of absence:

Passage of **Assembly Bill 773**
Concurrence of **Senate Bill 321**

Sincerely,
PEGGY KRUSICK
97th Assembly District

ANNOUNCEMENTS

Representative Ainsworth asked unanimous consent that the Assembly adjourn in honor of the Suring Middle School Choir, for their performance at 12:00 Noon today in the GAR Hall in the Capitol, in honor of "Arts Day". Granted.

Representative Ainsworth asked unanimous consent that the Assembly adjourn in honor of the Bonduel Bears High School Wrestling Team and Jeff De Lorme, who won the Division 3 WIAA State Championship. Granted.

Representative Lorge asked unanimous consent that the Assembly adjourn in memory of Ray Nitschke, the legendary #66 of the Green Bay Packers during the "glory years" of the Vince Lombardi era, who recently passed away at the age of 61. Granted.

Representative Baumgart asked unanimous consent that the Assembly adjourn in honor of his daughter, Katherine (Kate) Baumgart, a special young lady with a zest for life, who is celebrating her 6th birthday today. Granted.

Representative Baumgart asked unanimous consent that the Assembly adjourn in honor of Aldo Leopold, on the 50th anniversary of his book, The Sand County Almanac. Granted.

Representative Hebl asked unanimous consent that the Assembly adjourn in honor of the Stoughton Girls High School Basketball Team, who will be playing in the Division I State Tournament this weekend in Madison. Granted.

Representative Ladwig asked unanimous consent that the Assembly adjourn in honor of her granddaughter, Brittnay Lynn Hoover, who was born on February 18, 1998. Granted.

Representative Bock asked unanimous consent that the Assembly adjourn in honor of the Pius "Lady Popes" Girls High School Basketball Team, who won the WISAA Girls Basketball Championship for the 13th time in the last 16 years. Granted.

Representative Plale asked unanimous consent that the Assembly adjourn in memory of Raymond Walters of South Milwaukee, who recently passed away. Granted.

Representative Lazich asked unanimous consent that the Assembly adjourn in honor of Waukesha Catholic Memorial High School's Academic Decathlon Team, who earned first place at the national competition. Granted.

Representative Turner asked unanimous consent that the Assembly adjourn in honor of Racine Lutheran High School Basketball Team, who won the WISAA Division 3 Championship. Granted.

Representative Hanson asked unanimous consent that the Assembly adjourn in honor of the University of Wisconsin Women's Basketball Team, who will be participating in the Women's NCAA National Tournament this weekend in Florida. Granted.

VISITORS

During today's session, the following visitors honored the Assembly by their presence and were welcomed by the presiding officer and the members:

Christie Bender, Juneau County Register of Deeds, guest of Representative Albers.

Students from St. Peter's School in Eagle River, guests of Representative Handrick.

La Moine MacLaughlin, guest of Representative Dueholm.

Fourth and Fifth grade students, teachers and parents from St. Mary's School in Tomahawk, guests of Representative Ourada.

Joan Rennert, Racine County Clerk, guest of Representative Ladwig.

Mark Ladd, Racine County Register of Deeds and Deputy, guest of Representative Ladwig.

Jack Brown of Spooner, Washburn County Clerk, guest of Representatives Hubler and Boyle.

Jamie Feuerhelm, Pierce County Clerk, guest of Representative Harsdorf.

Paul Severson, Trempealeau County Clerk, guest of Representative Gronemus.

Sharon Schiebel, Polk County Clerk, and Helen Steffan, Burnett County Clerk, guests of Representative Dueholm.

Sue Winninghof, Winnebago Register of Deeds, guest of Representative Owens.

ADJOURNMENT

Representative Foti moved that the Assembly stand adjourned until 1:30 P.M. tomorrow.

The question was: Shall the Assembly stand adjourned?

Motion carried.

The Assembly stood adjourned.

7:12 P.M.